G. R. S. IX-5]

Previous references.

Inam. 37—04.
L. P. —

1911.
(Inam)

File No. 627—11
Serial Nos. 1—9.

Later references.

12—26
Inam 147-26-1-2
" 39 " 4/5/27

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2.

Part B for Inam. 18.

SUBJECT.

House tax on the houses standing on the inam lands of Krishnanda Matt at Tulbagal.

To, D. C. Kolar; Comptr; Inam. Supdt.

of Inam Supdt. No. 2210—220. Dt. 7/3/18

Sanctions the payment of Rs 2/- P. 2.

to Sri Gopala Krishnadevaru in the Matt from the Municipality out of the Inchatar fa Collected on the houses built on the inam land of the Matt

W D 88—GPB—50,000—24-7-16

No. 2221 to 2222. Copies to Subbarayadlu of Bindaru Khan & Others

D. R. Appadurai.
R. VII Dt. 18/4/18

G.R.S. 1 191 / .

GENERAL AND REVENUE SECRETARIAT.

(Inwgnal)

NOTES.

File No 627-11

FILE HEADING.

House Tax on the houses standing on the Inam lands of Krishnananda matt at Mulbagal

From

The Dy Commr, Kolar Distt

No. 6569/316 Dated 3 4 1912 Received 6 4 1912

Diary No. 1586	Enclos. 1 file Spare Copies.	Serial No. /

BRIEF ABSTRACT OF LETTER.

Recommends that the inam lands on which the houses are situated, may be acquired by the Municipality—

NOTES AND ORDERS.

1 Inwg. 7 no. 39 of 1904 and L. R. 7 no 10 of 1904 are herewith submitted, and the facts of the case are contained in them—

2 Krishnananda Swamy matt at Mulbagal is an ancient instn endowed with Inam lands,

NOTES—First Sheet.

GPB—30,000—12 8 11

Serial No.

and a cash grant of Rs 8-12-0 per mensem.
The Swamy of the matt having absented himself from the place and the Agent appointed by him having neglected and mismanaged his trust, the mattu was taken under Govt management & it was ordered that the Land Revenue, house tax etc should be collected thro Govt Agency. No formal sanction of Govt was obtained in the matter.

Dy. Commrs order no. 808 Dy 19.3.1886) 7. 16

Within the municipal area of the Nuddagal town, Inam lands are held by this as well as other Mattu. Houses have been constructed thereon. The Municipality receives the Mohatarfa on the houses situated on the Mattu Inam, but no ground rent ~~is~~ being paid to this matt. In the year 1904, Mr. J. C Carr, the then Dy. Commr, passed an order directing that the house owners should pay a rent to the matt of half the amount they pay to the Municipality as Mohatarfa; and that they will not be called on to pay anything for former years, and that they will pay for 1903-4 and from that year onwards, at the above rate.

3) The Agent of the matt appealed to Govt stating that some of the house owners had executed Muchalikas ~~that~~ to the effect that they would pay the arrears for 5 out of 12 years due from them, and that the Dy Commr

Note— Contn. sheet

G. R. S. 12]
eral and Revenue Secretariat.

File No. 627 of 1911

Serial No.

in conformity with the order appealed against, further directed the refund of the taxes — already collected, to persons concerned, and prayed that the execution of this order might be stayed.

No. 1586/160 dy 10.9.1904 7.i.06 (I-no. 390 of 1904)

As called for, the Dy. Commr submitted his report and the case was refd to the Revl Commr in Mysore for disposal.

79. 2

4 The Revl. Commr was of opinion that the management of the matt estate ~~having~~ was assumed before the introduction of the L.R. Code, that it did not appear to be a case to which the L.R. Code and Rules applied, and that the question seemed to be one for the decision of Govt in the Nuzvai Dept. The entire correspondence was transferred to the late Nuzvai Secretary to Govt.

5 In this office ~~Lr~~ Letter no 3208 dy 24th Feby 1905, the Dy. Commr was asked to submit further report on the subject and the Dy. Commr has now furnished additional info. The present report answers the several queries raised in this office Comm of Feby 1905.

(Papers inside d.d. 11.07)

6 The swamy of the matt is Sivan at Mulbagal in the Kolar Tq and the idol of Sri Gopalakrishna Devaru located in the matt is not being worshipped since 1884. The matt is reported to be in the Govt possession

79. V)

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
eral and Revenue Secretariat.

File No. 627 of 1911

Serial No.

of dry, wet and Bagayat wara lands in mulbagal and other villages measuring 30 a - 37 g and assessed at Rs 69-8-0. 103 houses have been built on the mate inam land S. No 22 of mulbagal for which a tax of Rs 7½ has been imposed by the municipality which is levying it and it is proposed to levy an addl tax of Rs 7½ for payt to the matt towards ground rent.

7 The Dy. Commr is of opinion that the Inam land on which the houses stand, may be acquired by the municipality and the Compensation amount together with a sum of Rs 64½ and odd as the cost of the witness, may be invested in 4% loan or Govt Savings Bank, the interest accruing thereon together with the realization from the other Inam lands being utilized towards the pay of the Archak and repairs to the matt and temple.

Submitted for orders

AN (1324) 22/4/12

Subd to Hon Councillor

I regret the delay in the disposal of this file. This file was mixed up with certain other files required for inspection and was not

GPB—50,000—12 8-10

G. R. S. 12] 155

General and Revenue Secretariat.

File No. 621 of 1911.

Serial No.

Noticed [illegible]

The question relates to the right of Krishnananda Matt to collect ground rents on certain houses admittedly built on its Inam land, Survey No. 22 of Mulbagal village, now included in the Municipal town. There are now 105 houses on the land on which a Municipal tax of Rs. 72/- is being levied - and these houses are partly owned by Mussalmans and partly by Hindus. 32 of them include Mussalman and Hindu have stated that ground rent was being paid by the house owners to the Matt, but this is repudiated by most of the others and particularly certain Mussalman owners who set up a plea that the sites were granted to them free by a former Mathadhi -pati on the understanding that one should protect the Matt property and that they should escort the Swamy when he went to Narasimhatirtha. A Sannad is alleged to exist, but it does not appear to have been produced before the local officers enquiring into the case or before the Deputy Commissioner, Mr. Carr, when he disposed of the case.

Flag 6

P

Flag Y

In 1904, Mr. Carr ordered that all the house owners should pay to the Matt as ground rent half the Mohaturfa tax payable to the Municipality. This disposal has pleased neither party and both of them have appealed to Government. Subbaraya Bhatta on behalf of the Matt states that a sum equal to the Mohaturfa tax is payable to the matt and that arrears of tax calculated at that rate should be collected from the house owners. Budan Khan and other

Flag X

NOTE—Contn. sheet.

GPB—60,000—7.11.13

G. R. S. 12]

General and Revenue Secretariat.

File No. 624 of 1911.

Serial No.

are bound to pay such rents to the Matt. The Deputy Commissioner suggests another solution viz, to purchase the land from the Matt on behalf of the Municipality and to invest this amount together with other funds at the credit of the institution and that from the proceeds of such investment to maintain the Matt and the temple within it. This appears to be a fair solution and the Matt can have no right to complain as the action of the Matt cannot be said to have been quite right in that an agricultural land was converted into building sites, not to mention the construction of a Mussalman Asharkhan on a Hindu Devadaya Inam. This would also give the Municipality a legal right to the roads etc, on the land and for the vacant sites. The Mussalman and other land owners will also profit in that they will not have to pay a double tax. Whether they will be asked to pay a price for the sites or not by the Municipality is a matter which need not be considered here.

16- After the disposal of this question, the Deputy Commissioner will be asked to take steps to restore the Matt and resuscitate the worship of Sri Gopalakrishnadevaru inside it fixing a scale of expenditure therefor. The Swami of the Matt may also be consulted in the restoration etc. of the Matt. The Swami does not however appear to evince much interest in the welfare of this Institution. Notices may, if necessary, be issued to Subbraya Bhatta and

NOTE—Contn. sheet.

G P B—50,000—7 1 13

8

G. R. S 12]

General and Revenue Secretariat

File No. 62/11 of 191 .

Serial No

the counter petitions and the case posted for hearing.

15

2
19/1 hrs

Submitted with off notice & the 4th August 1914

BL (157)
19.7.1914 Why was this case not disposed of all this while

18 4 cases relating to uttaradi matt were heard by the 1st member on 4th Decr 1913 and were adjourned This file was received on the 30th January 14 Being directed to post these cases after sufficient number accumulated, this has to be kept by. As per orders this has been posted & the 4th August while uttaradi matt cases were heard on the 25th July and adjd. to 8th September 1914.

Submitted
BL (157)
8-9-1914

Seen
Hrs
3.8.1914

19 Submd to Hr. member

Hrs
3.8.1914

NOTE—Contn sheet

PB—30 000—7 11 13

G. R. S. 12]

General and Revenue Secretariat.

File No. 67 of 1914.

Serial No.

and under whose permission?

(2) Have these opponents or others given Muchalkas binding themselves to pay anything besides the Municipal taxes? And have they made any such payments?

(A full list with accounts & Muchalkas shd be got)

(3) If the land on which houses stand was originally belonging to the Matha, when how did the Municipality acquire it? Was there any undertaking to pay part of the house taxes to the Matha.

(4) Can an order be passed summarily by Govt on these questions? Full information on these questions should be obtained. If the materials are not already here, a report should be obtained from the Dy Cr.

8/9/14

25. Please go over the whole records and

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Register

File No. 627 of 1914.

Serial No	
	draft a concise memo replying to the queries on matters mentioned in the letter (P. 13).
1	Submitted with a memo and a draft letter to the Dy. Commr. M(115) 22-10-1914 B.L. 30 approved and the memo returned.
2	To D. C. Kolar No. 831/D, 28-10-914. Calls for addl. information re the levy of ground rent in addition to mohatarfa on the houses standing on the main land
3	30/ From, The Dy Commissioner, Kolar Dt. No. Letter no 70 Dt 14th August 1915 Submits further report called for in Sl. 2.
4	The Dy Commissioner's present report which is an English Translation of the Amildar's report no. 337 dated 8th January 1915, gives full information on three of the queries raised by the First member in pages 9 and 10 of the Vice note. Submitted. M(514) 25-9-15.

NOTE—Contn sheet

GPH—600—8-13

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No

31. The DC comes letter says nothing about actual payments by any of these house owners. Are there any accounts submitted. Analyses the Muchalikas produced to show the numbers of persons who have consented to pay a tax.

32 Supplement - The Dy comes letter with further information received from the Tax records.

Ack
2/1/15

36 No accounts have been submitted.

37 A note giving details of the Muchalikas executed by persons who have consented to pay a tax, is herewith submitted.

SV 1957
20-11-1915

38 26-11-15 The DC comes letter shows that ground rent is being collected on lands belonging to other Natives. What is the information available in the record in support of this statement.

39 Underline in red the names of the opponents in the present

NOTE.—Contn. sheet.

GPB—20,000—30 6 15

(13

G. R. S 12]

General and Revenue Secretariat. | File No. 627 of 191

Serial No

with present - Com, who have signed the Mahazira of 15.3 and who have executed a document with Mathagent.

AV.

24.11.15

1st query — The Amildar reports that within the municipal area of Mulabagal town, inam lands are held not only by Krishnananda matha, but also by Ananè, Vyasaraya Swami and Sripada Raja Swami mathas & that all the 3 latter mathas have allowed their inams to be built upon, and are recovering Ground-rent

Report no. 10 dy 19.8.02)

2d query — (Vide Routine note)

Submd

NV(35)
10.1.1916

3 — From, The Dy Commr, Kolar &c
Letter no 208 dy 29-11-1915.

Submits an estimate for certain urgent repairs to Sri Krishnananda matha and the Temple of Sri Gopala-Krishna Swami thereis, and recommends that the Cash grant of Rs 0-11-8 per mensem intended for the Temple may be allowed to be drawn

NOTE—Contn sheet

GPB—20,000—30 6 15

9·2 14

G. R. S. 12]

General and Revenue Secretariat.

File No. 6207 of 191 |

Serial No.

and requests early action on his proposals (continued in page 2 of Serial 2, to fix the rehab. pay at Rs 4/ per mensem.

4/ The estimate submitted by the Dy. Commr is for Rs 1,100/- It is recommended that moiety of the cost may be met from a sum of Rs 1,101-5-9 available at the credit of the district, the other half being met from the State grant of the current official year.

42 Submd for orders
N (35)
11.1.1916

The question of sanctioning the estimate for the repairs of the temple maybe separated from the main question of the mutt's claim for the ground rent and dealt with separately. The repairs to the temple are reported to be very necessary and urgent.

ann
16.1.16

Please separate the repairs question and treat it as an independent file. Submit with a draft sanctioning the whole cost of the house of the institution which has sufficient funds

Dr
17.1.16

Attended to

NOTE—Contn. sheet.

GPB—20 DC—30 C-15

Serial No.

attended to 2

1 Submd. for orders with ref to the previous
NW(98) of the A. Secretary on paras 39 & 40 of
18.1.1916 The office note
arm
25/1/16

45 vide remarks on routine
note

Q1 46 A statement giving the names of
the persons who have signed the
protest petition, and those who have
signed the mucharikas, is Submd.

NW(84) arm
25.2.1916. 25/2/16

47 Subd 15 (Nil) members

48 On the questions raised by the
member the Dy Comm reports that
the buildings were constructed about
a century ago, that many years ago
have executed mucharikas undertaking
to pay ground rent and that no
acquisition proceedings were taken before
the land in question was included
within the municipal area

49 From an analysis of the
persons who have executed the
mucharikas and those who are now

NOTE—Contn. sheet.

GPB—70,000—17 12 15

G. R. S. 12]

General and Revenue Secretariat.

File No. 627 of 1911.

Serial No.

Rejecting Vpay, it will be seen that out of 32 persons now rejecting as many as 14 had undertaken Vpay out of which 10 are Musulmans. Vide Comparative Statement put up.

57 It is reported that the Avani Sirkar and Vysarayan Mattas had also Inams within the municipal area which have similarly been built over and that ground rent is being received from the Inams in addition to the municipal tax. The probability is therefore very high that permission to build would originally have been granted only on a promise of payment of rent which will be a source income to the Mattas. If the present occupants plead a free gift or some nominal service in return, it is for them to establish special conditions.

57 To a special extent the irregularity in the management and the neglect of places after the property came under Govt. management are responsible for the present unsatisfactory set-up. The property is Devadayam and under Govt. management

NOTE—Contn. sheet

GPI—70,000—17 12 15

Serial No.

Rent in the absence of any express stipulation to the contrary it is surmised that there is nothing to preclude the levy of a reasonable rent:

52 In this connection the proposal of the Dy Comr to acquire the land for the Municipality also deserves consideration.

hs
26.2.16

53 I think a part of the Mohadafa about 25% may be given to the Mathas as ground rent. There will also be nothing against the rules in acquiring the Mathas rights under the Land Acq & Regulation. The Dy Comr may be asked to report what the Cost would be for acquiring the Mathas right.

11/3/16

54 Draft letter to Dy Comr making the enquiry repd to

1/3/16

55 Submd. with a draft letter.

hs
1/3/16

W (94) attn
14.3.1916 14/3/16

Sahai
hs
21/3/16

NOTE—Contn. sheet

GPB—70,000—17-12-15

G. R. S. 1?

General and Revenue Secretariat.

File No. 6-27 of 1916.

Serial No.	
4	No: 2287 of 24.3.16, to Dy Comr Kolar, calls for further report & the draw back is endorsed to the above matter.
5.	From, the Dy Comr, Kolar Distt Letter no. H.C.75 Dy 7.7.16. Encls further report called for in Sl. 4.
7	The municipal Council have resolved to pay to the matha, 25% of the Nokatanfa collections as ground-rent, from the current year,
	As for the arrears due to the matha for 27 years from 26-12-1889 when the inste was taken under Govt management, the munl Council taking the average of the collections for 12 years past, State that Rs 70 might have been collected every year, that calculating at this rate, the total collections for 27 years comes upto Rs 1890/, and that though 1/4th of this amount viz Rs 473 is due to the matha, they are prepared to make a lump sum grant of Rs 300/ as ground-rent due to the institution.

fg. 9

NOTE—Contn. sheet

GPE—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat.

File No. ( ) of 191 .

Serial No.

It is reported that there are now 99 buildings on the matha land yielding a nishatarja of Rs 73 per year.

(2) The Dy Commr thinks that these proposals are reasonable and may be sanctioned, ~~and that~~ thereby disposing of this long-pending question.

(3) The Municipal Council have not discussed the question of the acquisition of the matha land, as they thought it more convenient and equitable to pay 1/4th of the nishatarja collection every year to the matha.

(4) Submitted for orders:

M Chlw
15.7.1916

ann
21/7/16

Dis 262-16.

(5) To Board IV for favour of opinion as to whether the proposal of the Municipal Council maybe accepted by us

26.7.16

64. Mudbagal Town which was a non-regulation Municipality from time to time previous to 1889, was constituted into a Municipality under

NOTE—Contn. sheet

GPB—70 000—17 12 15

G. R. S. 12]

General and Revenue Secretariat.

Serial No

File No. 627 of 1911.

under the Mysore Municipal Regn. Cattai by a Note with effect from 1.6.1911 and the first Mtl Cl was created by a Note of 16-8-1912. The Municipality includes within its limits Certain Inam lands belonging to Sri Kantiravanda Matha on which houses have been constructed with the permission of the Inamdar on condition of ground rent being paid to the Matha (Inamdar). 65. The Municipality under Port Management from 1889-90. The Port Officer failed to collect from the parties concerned the ground rent due to the Matha. The Matha claims the arrears of ground rent from 1889-90. 66. If the claim of the Matha is admitted the point for consideration will be whether it is the Municipality or the tenants that have to pay it. The Municipal tax collected by the Municipality is for Municipal services rendered to the Public. The locality and no portion of it can be claimed by

NOTE—Contn. sheet

GPI 70 000—17 12 15

G. R. S. 12]

General and Revenue Secretariat.

Ist Jmy File No. 627 of 1911.

Serial No.

by the Inamdar. It therefore follows that the liability falls on the persons in actual possession & enjoyment of the lands on which the Cesses stand & should be recovered & paid to the Inamdar by Govt since they have the Management of the properties in their hands.

HK 48
5. 8. 1916.

(7) The question is a bit complicated. — If the contention that permission to build houses was given conditionally on payment of ground rent has been established & if some have intentionally or unintentionally failed to realize the rent, it is not clear why the Municipality should make good the loss out of Kolhapur funds. The Mamlatdars have been levying in the ordinary course. —

First Member 9/8

234
9.8

68 Passed pay the arrears Jan 1917. 9.8
& date quitting Aug 1912. —
as they pointed to Mr. Mehta. The

Contn. sheet.

GPB 7000-1712-5

G. R. S. 12]

General and Revenue Secretariat.

Rev/ File No. 627 of 191/.

Serial No.

Remarks and Recommendations of Subordinate officers from the lowest upwards. The revenue heads to be charged, if any, must be shown.

69

Who is the head responsible to Govt for items 2 to 8 [illegible] Please see para 4 of the above note. [illegible]

[illegible] 10/8/16

The above is a matter for decision in the Municipal Branch (VII) - but the file has been sent to us for remarks (Para 63-page 19) opinion, it may be re-transmitted to that Branch

Rev Secy) Yes 23/8/16 [illegible] 28/8

Sr [illegible] VII

23/8/16

Submitted for orders

MWG(W)

29.8.1916

29/8

No mode of solving the difficulty can be suggested. The question is whether the municipality is not exceeding a house tax in excess of that similar houses under are assessed for ground rent. The matter has been

Submitted MW 17.1.17

NOTE—Contn. sheet.

GP 3-70 000-17-12-15

G. R. S. 12]

General and Revenue Secretariat.

File No. 127 of 191

Serial No

pending sufficiently long I should like me for all to study the different aspects in the ward and give my opinion. Hand the papers in Camp Office

The place was visited by the Municipal Superintendent and Joint Secy. to Govt. on Saturday the 26th August 1917 and an extract from his notes of inspection is put up. Ahl 8/9.

I inspected the site as also the sites belonging to the Nagarajan Mutha and Sripathi Rayan Mutha. I am unable to suggest a satisfactory solution unless one or other of the Committee's suggestions is accepted. No doubt it is strictly correct to say that the Muthathar for should not be made to contribute towards the ground rent payable to the land lord. It may be argued on the other hand that as the Muthathar is based upon the value of the tenement, the ownership of the ground on which the building is erected,

NOTE—Contn. sheet

GPB—70 000—17 12 17

has an important bearing upon the assessable value of the houses. It seems also to have some good reason at the back of the resolution of the Municipal Council. The question of acquisition was not considered by them.

In the case of the Vyasarpa Mata Dam, which is comparatively much smaller, a tax in excess of the Mahalapa is collected from the owners of the few houses and paid to Municipality by the Mata agent, the remaining houses being exempted free.

Going into the strictly legal right of Kaikuwandu Mata to collect ground rent it must be said that there is not sufficient evidence to warrant either that all the house owners were paying rent or undertook to pay rent or that the Mata retained to itself the power to levy in any specific contingency. The real fact seems to be that permission was granted either formally or otherwise for the dependants of the Mata to put up buildings on the Mata land and that so long as the Swamis lived in Mulleyal the latter following — have apparently

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat

File No. 67 / of 191

Serial No.

Mahomedan readers as well — would not
accept in increasing the prestige of the
matt. A regular collection of recei-
can never have been insisted upon.

The image of Sri Gopala Krishna
is one of the most beautiful pieces
of Statuary in the State and worship
has only been recently restored. It is necessary
to make some provision for the worship
by an outlay else a contribution of Rs 26
or 1/3 of the income from the land, land
tax would be a great help in
this direction. The payment of Rs 300
towards the arrears may if necessary
be waived.*

(81 measures) Ld
12.6.17

* I should have suggested
grant of an equal
extent of land elsewhere.
Though there are lands
enough available
Receipt of regular
income is problematical
Ld.

RO 19/6/17 1774/12/11

NOTE—Contn. sheet.

GPE—2,000—22 3-15

WD 1233—GPB—60,000—1 12-16—S

G. R. S. III-2]

General and Revenue Secretariat. | File No. 627 of 191 .

Serial No.

[illegible]

[illegible] 12/11/17

[illegible]

LTr. Submd. with a DR enquiring for [illegible] appl [illegible] 27/11/17

[illegible] 27/11/17

[illegible] appl [illegible] 23.11.17

[illegible] 27/11/17

6 No: 1228 dt 27.11.17, d/ee & Govt calls for copies of G.O. which the Municipality [illegible] Govt

[illegible]

7. From, the Dy Commr, Kolar Dist, Letter no 75 dt 8-1-1918 Reports that the Municipality are agreeable to pay a monthly Tasdik of

NOTE—Contn. sheet.

No. 6569/316
1 file

Deputy Commissioner's Office,
Kolar District,
Dated Kolar, 3rd April 1912.

From

P. F. Bowring Esquire,
Offg. Deputy Commissioner, Kolar District.

To

C S Balasundram Iyer Esquire, B.A.,
Offg. Secretary to the Government of His Highness the
Maharaja of Mysore, General & Revenue Departments,
(Inamai Branch) Bangalore.

Sir,

With reference to your letter No. 3208 dated 24th July 1905, calling for certain additional information regarding the imposition of house tax on the houses standing on the Inam lands belonging to the Sri Krishnananda Matt in the Kulbagal Town, I have the honour to state as follows:—

2 (a) Sri Krishnanandatheertha Swami is the present Guru of the Sri Krishnananda Matt and he is reported to be living at a village in the Nirthahalli Shimoga District —

Matt in question is said to be

be different from the one with its Head Quarters at Talkad in the Mysore District.

(c) The land endowments belonging to the Matt are shown in the accompanying statement which also gives information regarding the demand, collection and balance since the date of assumption of the Inam lands by the Government.

(d) The savings made out of the income of this Institution, were credited under different heads as per margin and the total amount at the credit of the Institution at the end of the year 1910–1911 is

Rs 645-13-6-

Rs 108-5-7
Rs 85-8-6
Honorarium
Revenue deficit Rs 87-2-10
Institution Funds Rs 323-3-8
Other items Rs 41-8-11
Total Rs 645-13-6
Amount to the credit. 1074-14-1
Grand Total Rs 759-11-7

e Subbarayabhatta referred to in

in your letter under advertence, does
not hold any power of attorney
from the Swamigalavaru and
seems to have been appointed by the
Matt to collect the amount of
Deeparadhane Kanikes &c.

(b) It is reported that 103
houses have been built on the
Matt Inam lands, for which a
tax of Rs 72/- has been imposed by
the Municipality, which is levying it,
and it is further proposed to
levy an additional tax of Rs 72/-
for payment to the Matt towards
ground rent.

3. The Sub Divisional Officer,
Madura, however proposes that the
Inam land, Survey No. 22, at Kulbagal,
which the houses have been built,
acquired by the Municipality
Acquisition Regulation,

compensation paid therefor from the Municipal Funds to the said Institution and that the idea of levying an additional ground rent may be given up. As this proposal is reasonable and meets all requirements, it may be kindly sanctioned -

4. It is also further reported that the deity of Sri Gopalakrishna Swami in the math is in good order, that no worship has been conducted since 1884, that the temple is endowed with a cash grant of ~~Rs~~ 8-12-0 per annum, that there are several other large important Institutions at the place and that unless a scale at ~~Rs~~ 4/- per mensem is sanctioned to the archak for Nara and Deeparadhane, no person

person will come forward to conduct the worship in the temple.

5. In these circumstances, I am of opinion that the Inam land on which the houses are situated may be acquired by the Municipality and the compensation amount together with the amount at the credit of the Institution invested in 4% loan, if possible, or in the Government Savings Bank, the interest accruing thereon together with the realization from the other Inam lands being utilised towards the pay of the archak and the repairs required to the Matt and the temple.

6. The vernacular files on the subject are herewith submitted for reference and obliging return, when no longer required.

I have the honor to be,
Sir,
Your most obedient servant

Asst. Deputy Commissioner,
District

I Call for all correspondence regarding the [illegible] File No. [illegible] Serial No. [illegible]

G. R. S. 26]

Diary No. of letter replied to

General and Revenue Secretariat

(191 .)

, the

Date of issue 28.10.1914

Signed by Aravamudan

To

The Dy. Commr.
Kolar Dist.

Sir,

Adverting to Correspondence ending with your letter no 6569/316 D/ 3rd April 1912 furnishing additional information regarding the ~~disposition~~ list of ground-rent in addition to Mohatarfa on the house standing on the main road [illegible]

to Sri [illegible]

over.

SUBJECT.

in the Municipal Town,

I am directed to request you to be so good as to furnish ~~to be furnished~~ with full information on the points ~~questions~~ noted below:- -

(i) When were these houses built and under whose permission?

(ii) Have the owners ~~Landlords~~ given Muchalikas binding themselves to pay Ground-rent based on the Municipal taxes, and have they made any such payments? A complete list of persons who had such houses at the time of the ~~A full list with~~ owners & Muchalikas may also be furnished ~~furnished~~ ~~submitted~~).

(iii) If the land on which houses stand was originally belonging to the Matha, when and did the Municipality ~~e~~ it? Was there any Taking to pay House-Taxes to Municipality

Copied by

Examined by

GPB—25,000—6-8-11.

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

to the matter.

(4) Can an order be passed summarily by just in these questions?

2 ~~(3)~~ The favor of a very early reply is requested.

3. ~~(5)~~ The records are herewith returned for reference and re-submission.

I have etc.

L.

(Encls. under) Dy Offg. Secretary.

RL 22.10.14

20
1 file

Deputy Commissioner's office,
Kolar District,
Dated Jan Mojalpa, the 11th August 15.

From

P. F. Bowring, Esquire.,
Deputy Commissioner, Kolar District.

To

V.R. Thyagaraja Iyer, Esquire., B.A.,
Secretary to the Government of Mysore,
Revenue Department, Bangalore.

Sir,

With reference to your letter No.831/Inz.627-11-2 dated 28th October 1914, calling for certain additional information re the lev. of ground rent in addition to the mohatarfa on the houses standing on the inam land belonging to Sri Krishnananda Matt in the Mulbagal town, I have the honor to state as follows:-

(1) There are no records either in this office or in the Taluk office to show when and under whose permission the houses on the inam land in question were built. From the petition presented by one Subba Sastri of the Matt on the 7th January 1915 and the statements of the several house-owners, it has to be inferred that the houses were built about a century back with the permission of the then Swamigalavaru of the Sri Krishnananda Matt.

(2) The several owners of the houses that now reside on the inam land state that the lands were given free to them by the Matt, that they have been paying only the mohatarfa to the Municipality, and that no ground rent has been paid by them to the Matt. But Subba Sastri of the Matt has produced 7 mutchalikas from which it will be seen that the owners of the houses have bound themselves to pay ground rent for the land given to them for house-building purposes, in addition to the

GPB—100,000—29 7-14

A.1

191

From The Deputy Commissioner
Kolar District

To The Secretary to the Govt
of Mysore
Revenue Dept

Dated 11 August 1914. Bangalore
Despatched

Received

General No. 70
No.

Enclosure No. 1/L

Furnishing certain information regarding ground rent and duration to be collected on the houses standing on the Inam land belonging to Sri Ramanada Mutt, Mulbagal.

several services to be rendered by them to the Matt. Subba Sastri further states in his petition that as there was no systematic collection of the ground rent on the part of the Matt representatives on account of their absence, and as the levy of the house rent was not in vogue when, the promised rent to be paid by the house owners in consideration for the land occupied by them was not collected.

(3) The Amildar reports that the land was not acquired by the Municipality, but that as it was in continuation of the house sites belonging to the Matt, and as there were no survey boundary marks then to demarcate the village site from waste land, the inam land referred to came into the possession of the Municipality when it was first constituted as such, owing to the presence of several houses on it. The Amildar further reports that the Municipality has not paid the Matt any portion of the house tax collected on the presumption that the Matt itself has undertaken to collect the ground rent from the owners of the houses on the claim that the land belonged to the Matt, as is being done by other Matts.

The vernacular file of correspondence ending with the Malur Sub Division officer's yadi No.1280 dated 11th January 1915 is herewith submitted for reference.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner

Kolar District.

cater for 5 Inscriptions on the ~~Inscription~~ Inam lands of Sri Krishnananda Matth in the Mulbagal Taluk

File No. 627
Serial No. 4 Gen

~~on which hours have been built~~

No. 2287 Emp file

G.S.S. 20]

Diary No. of letter replied to 3223

General and Revenue Secretariat
( )
, the 19 .

To

The Dy Commissioner,
Kolar District.

Date of issue 24. 3. 916.

Signed by for

Sir,

Adverting to correspondence ending with your letter no 70 Dy 14th August 915 furnishing certain information regarding the levy of ground-rent in addition to mohatarfa on the houses standing on the inam lands belonging to Sri Krishnananda Matha within the municipal limits of the Mulbagal Taluk;

over.

SUBJECT.

I am directed to request an expression of your views as to whether a part-
~~That there is nothing against~~ the Rules in acquiring the Mathas Rights under the Land Acquisition regulation, and to request that you will be so good as to submit a report for orders of Govt as to what the cost would be for acquiring the Mathas ~~Right.~~ ~~I am to suggest that a part of the Notified area about 2½ may be given to the Matha as ground rent.~~

2) The entire records are herewith returned for reference and re-submission.

I have etc

for Rev. Secretary.

Mr. Members order

16/3/16

Matha for new College say 25·70, request he make over to the Matha as ground rent

I am to state that ~~the Government have~~ your proposal to acquire land on behalf of the Mathas rights in question and desires Consideration and to request that you will be good enough to report as to what the cost of acquisition will be and how it is proposed to meet.

List of enclosures.

Copied by

Examined by

GPB—10,000—28-2-11.

H C. 75

Deputy Commissioner's Office,
Kolar District,
Dated Kolar, the 6th July 1916.
7

From

P. F. B O R I N G, Esquire, J.P.,
Deputy Commissioner, Kolar District.

To

The Secretary to the Government of Mysore,
Revenue Department, MUZRAI BRANCH, Bangalore.

Sir,

With reference to your letter No.2287 Muz.6'07-11-4 dated 24th March 1916, calling for additional information regarding the levy of ground rent on the Inam lands belonging to Sri Trisuvanda Matha, within the municipal limits of the Mulbagal Town, I have the honor to state that the subject was discussed in the Municipal Council held on the 20th April 1916, and the Council have resolved to pay 25% of the mohatarfa collections to the Matha as ground rent. As the Council did not want to acquire the lands, the question of acquisition, was not discussed at the meeting.

2. The Matha is under Government management from 26th December 1889, and the Municipal Councillors are of opinion that a lumpsum of Rs.500/- might be paid to the Matha as ground rent; instead of Rs.475/- which is the amount of one-fourth on Rs.1,890/-, the rent collected from the time the Matha came under Government management. I think their proposals are reasonable and may be sanctioned, and the question which is pending from a long time disposed of once for all.

3. The entire file of correspondence on the subject is herewith submitted for reference.

I have the honor to be,
Sir,
Your most obedient servant,

for Deputy Commissioner,
Kolar District.

GPB—50,000—17-9-15 A

19

From

The Deputy Commissioner,
Kolar District.

To

The Secretary to the Govt. of
Mysore, Revenue Department,
Public Works, Bangalore.

Dated 4th July 1916.

Despatched 7

Received

General No. H.C. 75

No. 6-17

Enclosure No. 1 file V.P

DIARY No. 55

10/6/17

629-11

5

Furnishing certain additional information in connection with the levy of Cess on the Inam lands belonging to Krishnamurthy & Co situated within the municipal limits of Malavalli

Extract from the Notes of inspection of the Muzrai institutions in the Mulbagal Taluk, Kolar District.

" The Krishnanda Matt now under Government management was next visited. The Matt and the shrine of Sri Gopala-krishnaswami has been newly repaired and the worship restored. The image is an excellent piece of statuary and deserved to be better known. The surrounding lands are Matt Inam which have been allowed to be built over by certain Mahommedans and other dependents of the Matha. The Matt claims to be paid ground rent which is objected to by the residents. The question has been pending decision and the file will be submitted for orders separately."

2 25/11

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .. ..

GENERAL AND REVENUE SECRETARIAT

( )

, *the* 191 .

Date of issue 27.11.17

Signed by.....

Section Mur

File No. 627-11.

Serial No.

No.

To

The Dy Commissioner,
Kolar District

Sir,

Adverting to correspondence ending with your letter no 75 Dj 7th July 1916 reporting that the Municipal Council of Mulbagal have resolved to pay as ground-rent to Sri Krishnananda Math with effect from the year 1916-17, 25% of the Mohatarfa Collections

over.

from the owners of houses
on the matt inam S. No. 22
of the Mulbagal Village and
also to make a lump sum
grant of Rs 300 towards the
arrears due on this account to the matt
for 27 years past
~~from 26th Dec. 1889~~, I
directed to ~~state~~ enquire
~~image of~~ Sri Gopala Krishna
located in the above matt
~~I am to request to be informed~~ therefore
whether in your opinion the municipal Council
will agree to pay one-third instead of one-fourth, as
of the Inamdars Collections already agreed
to the matt: if the ~~payment~~ Claim
~~for~~ arrears due by them ~~is to be~~
~~waived~~.

(2) The favor of a very
early reply is requested.

The Vern. records are
returned herewith.

I have etc.

Sd/-

23.11.19

Joint Secy.

State that it is not considered expedient to make a lump grant of Rs 300 towards the arrears of ground ~~dues~~ as desired from them and to enquire whether in view of this decision municipality will be willing to pay a third of the Inamdars collections on account of Rs 24 amount or Rs 2 amount originally as due

for the worship of Gopalakrishnaswamy of the

List of enclosures.

Copied by

Examined by

W.D.& - GPB--60,000- 5.11.16

12-16

17 18

Mise.

627-11

7

W.D. 0241—GPB—6,00,000—19-5-16—S.

191

From

The Deputy Commissioner,
Kolar District.

To

The Joint Secretary to the
Government of Mysore,
Rev. Dept, Bangalore.

Dated 7th January 1913.

Despatched 8th —do— 2089

Received

General No. M.C.75 of 16-17.
No.

Enclosure No. one file.

---

stating that the Mulbagal Munici-
-pality are agreeable to pay
a third of the Mohalarfa Collection
as Cusdik for the worship of
Sri Gopala Krishnaswamy
out of the Mohalarfa collection
from the owners of houses on the
Sri Krishnaswamydevalla Street
S.No: 22 of the Mulbagal Village.

Work-up [illegible]

file

[illegible]

H.C 75 of 16-1
Ex: 1 file

Deputy Commissioner's office,

Kolar District,

Dated Kolar, the 7th January 1918.

From

B. Venkoba Rao, Esquire, B.A.,

Offg. Deputy Commissioner,

Kolar District.

To

G. Aravamudiengar, Esquire, B.A, B.L.,

Joint Secretary to the Government of Mysore,

Muzrai Department, Bangalore.

Sir,

With reference to your letter No.1228--Muz.627-11-6 dated 27th November 1917, enquiring whether the Mulbagal Municipality will, in lieu of the arrears of ground rent of Rs.300 payable to the Sri Krishnanandamatha out of the Mohatarfa collections from the owners of houses on the Matt Inam S.No.22 of the Mulbagal village, be willing to pay a third of the mohatarfa collections, viz, Rs.24 per ~~annum~~ annum or Rs.2 a month to be utilized as tasdik for the worship of Sri Gopala krishnaswami of the Matt, I have the honor to state that the Municipality are agreeable to this proposal and have resolved accordingly-vide copy of Resolution filed with the vernacular record. Early orders are solicited in the matter.

2. The file of vernacular correspondence ending with the Malur Sub Division Officer's yadi No.576 dated 28th December 1917 is herewith submitted for reference and kind return.

I have the honor to be,
Sir,
Your most obedient servant,

B. Venkoba Rao

Offg. Deputy Commissioner,
Kolar District.

GRS. VI-71]

SUBJECT Sanctions the Resolution of the Nuldagal Municipality for the monthly payment of Rs 2/- to Sri Sri Sri Krishna Devaru in Krishnananda Matt, in future ~~for the expenses of the Car festival~~ ~~and for the Car festival~~ ~~Decoration of the Car~~ for having utilised the Matt lands ~~for the Car festival~~ collected for the Car festival belonging ~~to the Car festival~~ to the Matt

Diary No. of letter replied to. 12/25

Contribution for the municipality

General and Revenue Secretariat

( )

, the 191

Section

File No.

Serial No 8

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 7.3.18

Read—

Petition regd no 2 Dy 1st July 1904 from Subraya Bhatta, Agent of Sri Krishnananda Matt at Nuldagal appealing against Order no 74 Dy 25th Febry 1904 of The Dy Commr, Kolar Dist, directing that a grant ~~Order Thereon~~ ~~No.~~ ment of half the amount paid to the municipality as Mohatarfa, might be paid to the Matt for the

May this be

i Printed

ii treated as a standing order

iii published in the Gazette English part

iv translated

v placed at the disposal of the press

vi published in the Gazette Kannada part

Signed by

over.

houses built on its inam land.

Petition regd no 146 dd 27.6.04 from Budan Khan and others praying for the Cancellation of the Dy. Comrs. order imposing a new house tax to be paid to the Datt in addition to the municipal tax on the houses standing on the Matt inam land

Correspondence ending with Letter no 75 dd 8th Jany 18 from the Dy Comr, Kolar Divn, reporting on the Subject.

Order thereon. No. 2217-220 dated 12th Jany 18

List of enclosures.

Sri Krishnananda Matt at Mulbagal is an ancient instn endowed with Inam lands, and a cash grant 8-12-0 for worship of Sopa Cakrishna Devaru the Matt.

Copied by

Examined by

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

The Swami being permanently ~~having absconded~~ absent himself from the place and the Agent appointed by him having neglected and mismanaged the Matt affairs, ~~his trust,~~ the Matt was taken under Court management as per Dy. Comm's. order Dy 19-3-1888.

The present petition relates to the right of the Matt to collect ground-rents on certain houses built on its Inam land, S. no. 22 of Mulbagal Village, now included in the Municipal limits. There are 105 houses on the land on which a Municipal tax of Rs 72/- is being levied, and these houses are partly owned by Mussalmans and partly by Hindus.

In 1904, the then Dy.

Cannot for Case before them
the Matter was taken up, ordered
That all the house owners
should pay to the Watt
as ground rent half the
Mohatarfa tax payable by them
to the Municipality —
This order has pleased
neither party and both of
them have appealed to
Govt. —

Subraya Bhatta on behalf
of the Watt States that
a Sum Equal to the Mohatarfa
tax is payable to the
Watt and that arrears of
Tax Calculated at that
rate should be collected
from the house owners;
while Budan Khan and
claim that no
rent is payable
to the Watt, since
been paying Mohatarfa

QPB—20,000—16-2 14

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

The matter was the
subject of a protracted
correspondence and the parties
to the appeal petitions
were also given a hearing.
In view of the fact that
there is no clear evidence
to show that there was a
contractual understanding
between the house owners
and the natt that the
Stands pay ground-rent,
it is not now possible
after the lapse of this
long period to enforce
the claim against the former.

The case however
between the natt and the
Municipality Stands
slightly on a different
footing. The ownership
of the land on which
the buildings Stand

Still belongs to the Matt being transferred to its maintenance
and it is but right
that the Matt should receive
a proportion of the Mohatarfa
Collected by the Municipality
from these houses which
is the only return now available from them (and
the Dy. Commr reports
in his final Communication
dated 8th January 1918,
that the municipal
Council of Mulbagal
have finally resolved
~~in the proceedings of at~~
held on
their meeting ~~dated~~
17th December 1917 that
a Third of the Mohatarfa
Collections Viz Rs 24
or Rs 2 a month may
be paid as a Contri-
from the Mohatarfa
bution to the Matt, for
Worship of Sri Gopala
Devaru and that
Matt Should waive

GPP—20 000—16-2 14

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

its claim for payment of arrears on this basis.

The Joint are pleased to accept the ~~Offer~~ proposal of the Municipal Council and to direct that the amount should be utilized for the conduct of the regular worship of the Gopala Krishna Devaru of the matt.

27.2.18

lea
25.2.18

Joint Secretary
Muz. Dept

To,
The Dy. Commr, Kolar
Dist, ~~with~~ the Comm pp
" Comptroller
" Muz. Supdt in Mysore
" Inam Supdt in
Copy to Bo. ~~&~~ for
for info

Proceedings of the Government of His Highness
the Maharaja of Mysore.

Read--

Petition registered No. [illegible] dated July 1904 from Dubraya Bhatta, Agent of Sri Krishnamanuja Matt at Melkote appealing against Order No.74 dated 20th February 1904 of the Deputy Commissioner, Kolar District, directing that the amount sent of half the amount paid to the Municipality on Kuchcha [illegible], shall be paid to the Matt for the houses built on [illegible] lands.

Petition registered No.140 dated 7th June 1904 from Budan Khan and others praying for the cancellation of the Deputy Commissioner's order imposing a new tax to be paid to the Matt in addition to the Municipal tax on the houses standing on the Matt inam land.

Correspondence ending with letter No.75 dated 8th January 1918 from the Deputy Commissioner, Kolar District regarding on the subject.

- - - - -

O r d e r -- No.

Dated Bangalore, the 1918.

Sri Krishnamanuja Matt at Melkote is an ancient institution endowed with Inam lands and a cash grant of Rs.5-1-0 for worship of Sri Cowluthiridhas Swamy installed in the Matt.

The Swami being permanently absent from the place and the Agent appointed by him having neglected and mismanaged the Matt affairs, the institution was taken under Government management as per Deputy Commissioner's order dated 19th March 1886.

The present question relates to the right of the Matt to collect

collect ground-rent on certain houses built on its inam land Survey No.33 of Mulbagal village, now included in the Municipal Town. There are 105 houses on the land on which a Municipal tax of Rs.72/- is being levied, and these houses are partly ~~owned~~ owned by Mussalmans and partly by Hindus.

In 1904, the then Deputy Commissioner Mr. Carr before whom the matter was placed, ordered that all the house owners should pay to the Matt as ground rent half the Mohatarfa tax payable by them to the Municipality. This order has pleased neither party and both of them have appealed to Government.

Subraya Bhatta on behalf of the Matt states that a sum equal to the Mohatarfa tax is payable to the Matt and that arrears of tax calculated at that rate should be collected from the house owners; while Budan Khan and others claim that no ground rent is payable by them to the Matt, since they have been paying Mohatarfa to the Municipality.

The matter was the subject of a protracted correspondence and the parties to the appeal petitions were also given a -- hearing. In view of the fact that there is no clear evidence to show that there was a contractual understanding between the house owners and the Matt that the former should pay ground rent, it is not now possible after the lapse of this long period to enforce the claim against the former.

The case however between the Matt and the Municipality stands slightly on a different footing. The ownership of the land on which the buildings stand still belongs to the Matt and being Inam endowed for its maintenance it is but right that the Matt should receive a proportion of the Mohatarfa collected by the Municipality from these houses which is the only return now available for the land. The Deputy Commissioner reports in his final communication dated 8th January ~~1917~~ 1918

that

that the Municipal Council of Mulbagal have finally resolved at their meeting held on 17th December 1929 that a share of the Mohatarfa collections viz., Rs.5o/- or Rs.a/- a month may be paid as a contribution to the Matt from the Mohatarfa for the worship of Sri Gopalakrishna Devaru and that the Matt should waive its claim for payment of arrears on this basis.

The Government are pleased to accept the proposal of the Municipal Council and to direct that the amount should be utilised for the conduct of the regular worship of the Gopalakrishna Devaru of the Matt.

Yours &c.,

Joint Secretary to Government,
Mysore Mussal Department.

To

The Deputy Commissioner, Kolar District, returning the Vernacular papers.

The Comptroller to Government.

The Mussal Superintendent in Mysore.

The Inam Superintendent in Mysore.

GKV.5

2 Dy 15 - Endorsement granted

2221 to Subraya Bhatta, Agent

mer 627-11-9 of Sri Krishnananda Matt

Dy at Mulbagal, with ref

7 3 18 to his petition regd no

2 Dy / 8th July 1904, appealing

against order no 74 Dy

25th February 1904 of the

Dy. Commr, Kolar Divn,

directing that a proper

rent of half the amount

paid to the Municipality

as Mohatarfa, might

be paid to the Matt

for the houses built

on Inam S. no 22

of Mulbagal Village

in the Khata of the

Matt.

The petr is informed

that

Spur 28/7

as there is no clear evidence
to show that there was a
contractual understanding
between the house owners
and the Matt that the
former shall pay a
ground-rent, it is not
possible to enforce the
claim against the former,
and that orders have been
issued accepting the offer
of the municipal council
& mulbagal to pay
a third of the Mohatarfa
collections viz Rs 2 a month
for the worship of Sri
Gopalakrishna Devaru
in the Matt on the condition
~~having~~ that the Matt's claim
for payment of arrears is waived.

B. O.

Joint Secy,

Copy to Budau

22222 Khan and others v
7.3.[illegible] Mulbagal.

B.O.

Joint Secretary
Muz. Dept

14/7/60

Endorsement granted to Subraya Bhatta, Agent of Sri Krishnananda Matt at Mulbagal, with reference to his petition registered No.2 dated 1st July 1904, appealing against order No.74 dated 25th February 1904 of the Deputy Commissioner, Kolar District, directing that ground rent of half the amount paid to the Municipality as Mohatarfa, might be paid to the Matt for the houses built on Inam Survey No.22 of Mulbagal village in the Khata of the Matt.

- - - - -

The petitioner is informed that as there is no clear evidence to show that there was a contractual understanding between the house owners and the Matt that the former should pay a ground rent, it is not possible to enforce the claim against the former, and that orders have been issued accepting the offer of the Municipal Council of Mulbagal to pay a third of the Mohatarfa collections viz., Re.2 a month for the worship of Sri Gopalakrishna Devaru in the Matt on the condition that the Matt's claim for payment of arrears is waived.

By order,

Joint Secretary to Government,
Muzrai Department.